

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

FILED
MAY - 1 2008
John Haas
CLERK

UNITED STATES OF AMERICA,

CR. 08-30006

Plaintiff,

-VS-

MATTHEW DAVID STYMIEST,

REPORT AND RECOMMENDATION
FOR DISPOSITION OF DEFENDANT'S
MOTION TO SUPPRESS STATEMENTS

Defendant.

Defendant, Matthew David Stymiest, has filed a Motion to Suppress Statements, Docket No. 14. Because Defendant's Motion is a dispositive one, this Court is only authorized to determine the same on a report and recommendation basis. See 28 U.S.C. §636(b)(1). Based on the findings, authorities and legal discussion made on the record at the May 1, 2008 hearing, the Court hereby

RECOMMENDS that Defendant's Motion be denied in all respects.

Dated this 1st day of May, 2008, at Pierre, South Dakota.

BY THE COURT:

Mark A. Moreno

MARK A. MORENO
UNITED STATES MAGISTRATE JUDGE

ATTEST:

JOSEPH HAAS, CLERK

BY: *Joseph Haas*

Deputy

(SEAL)

NOTICE

Failure to file written objections to the within and foregoing Report and Recommendations for Disposition within ten (10) days from the date of service shall bar an aggrieved party from attacking such Report and Recommendations before the assigned United States District Judge. See 28 U.S.C. § 636(b)(1).